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through the various vicissitudes of his sad lot, has enlarged the domain of our sympathies and won for himself the benediction, —

“ Blessings be on him and eternal praise,
Who gave us nobler hopes and nobler loves ! ”

ART. III. — 1. *Records of the Governor and Company of the Massachusetts Bay in New England.* Printed by Order of the Legislature. Edited by NATHANIEL B. SHURTLEFF, M. D. Boston : From the Press of William White, Printer to the Commonwealth. 1853.

2. — *Archæologia Americana. Transactions and Collections of the American Antiquarian Society.* Vol. III. Part I. Cambridge : Printed for the Society. 1850.

THE publication of the early records of the Colony of Massachusetts Bay has been often urged upon the government of the State of Massachusetts ; but the State has only just now completed it. Meanwhile, all students of her history, from Hubbard downward, had used the manuscripts. It was well known that they were full, drawn up with care, and comprising much valuable detail in illustration of the early history of New England.

The manuscript volumes themselves have been of late years very carefully preserved. But it has been certain, that, in the face of all possible care, their illegibility increased. And as long since as May 29, 1844, the American Antiquarian Society, finding that the State was not disposed to attempt the preservation of its own records, took measures to procure a careful copy of the first volume, and directed its publishing committee to publish it, with notes and illustrations.

In his valuable collection of works bearing on Massachusetts history, Dr. Young printed that part of the record which related to the operations of the Company in England, that is, as far as the period when the charter was brought to America by Winthrop, in 1630. In 1850 the publication by the An-

tiquarian Society began. The text was printed with the original spelling, with illustrative notes, and with a very valuable introductory essay by Mr. S. F. Haven, to whose care the whole work had been intrusted by the Society. In this essay he gives the history of the "Origin of the Massachusetts Company"; and, after clearing up much which had been very obscure about the overlapping of the lines of patents, and the rights of successive companies, he traces, in some detail, as far as is possible, the lives of the several persons, nearly one hundred, who formed the original Massachusetts Company, under whose auspices the State of Massachusetts began to be. The first part of the Antiquarian Society's publication ended, like Dr. Young's, with the transfer of the charter to New England. The Society proposed to print the entire contents of the first volume, the whole of which had been copied for this purpose.

Before this was done, however, Governor Clifford having called the attention of the Council of the State to the decaying condition of its oldest original records, and, on the report of a committee of that body, sent a special message to the Legislature recommending earnestly that the first two volumes should be printed by the State, the Legislature passed a resolve in pursuance of his recommendation, on the 2d of May, 1853. The Secretary of State, who was intrusted with the superintendence of the work, committed it to the hands of Dr. Nathaniel B. Shurtleff, certainly the most fit person, from the union of various essential qualifications, to carry it out promptly and thoroughly; and it was begun at once, and, with an expedition very unusual in such affairs, was completed before the end of the year. We shall have occasion, as we examine it, to speak of the singular accuracy and beauty with which it is printed.

This authentic and unabridged edition of the official records of the Company, and the invaluable Journal of Governor Winthrop, make up a mass of material for the early history of Massachusetts, complete to a degree almost without precedent. There are also several early letters, and other printed tracts, which furnish valuable illustrations and supply some deficiencies. If, then, the history of Massachusetts is not written, it

is not now for want of material readily accessible for its first pages.

Those most competent to judge, indeed, most competent to write it, declare that it is not yet written. Mr. Haven, in his paper on the Origin of the Company, says :—

“It is a just remark of the author of the Life of Sir Harry Vane, that the history of the Long Parliament has never been written. It is equally true that the history of Massachusetts remains to be written. What extreme of our united nation is there that has not an interest in its history? For where have not the descendants of its primitive settlers carried the moral and political principles they inherited? The ‘genius for government’ of its founders must be traced in the records of their legislation, and the elements of its public character be deduced from an analysis of the characters of its prominent men.”

Mr. Willard says, to the same point, in his recent Lancaster Address: “The history of Massachusetts is still a fresh subject, —in hackneyed phrase, is yet to be written. We now want the man. Heaven grant that he may be raised up to us, who will buckle on the armor for this great work.”

In reviewing the new edition of Winthrop last October, we took the occasion for a sketch of the development of constitutional institutions in the Colony, and the growth, under the somewhat inconvenient mechanism of the charter, of the germs of a representative government. The published records more than sustain the views we then expressed as to the good sense and sound political judgment of the founders of this State. It is only when they are read with their own illustration of their own meaning, that they can show, in its full extent, the judgment of these men. It has been very easy, for one glancing over the manuscript records, to select an absurd enactment here, and another there,—to copy them without their connection, even without the repeal which very likely followed at once,—and, calling them specimens of the early legislation, to give the impression that Puritan statesmanship in New England was as ludicrous as the monarchical writers represented it at home. In fact, we have never seen the records of nineteen years of legislation which show progress so steady, and purpose so firm in the consolidation of a state, as these indicate. They begin as the records of a commercial company might be

expected to begin. On its transfer to this country, the record continues, again, as might be expected of the record of the only governing body of a little group of newly settled towns. There is nothing absurd in the collocation of the choice of a Governor and the fine of a sleepy watchman in the same day's proceedings of the General Court. But regularly—with an advance really solemn from its simplicity and dignity—the government disposes of various portions of its duty to proper officers; the division of labor appears in the work of administration; the various scattered functions of the commonwealth array themselves in fitting and beautiful forms in their respective departments; and, out of the chaos of the mixed business of the Directors' meetings, the constitution of a state is born. It would be well, indeed, if the students of government would become conversant with this record, in which not only the vestiges of the creation of a state are presented, but every step in its progress is carefully laid open in exact order.

We wish now, however, to call attention to the interest which attaches in England to the history of the Massachusetts Company, and to the influence of the men who united in it on the fortunes of England. Here we see their efforts on a small scale, unimpeded and successful. There we see their efforts, against the prejudices of ages, in reforming a constitution which had elements entirely hostile to their own principles, and in contest with a king who was false to every principle and every promise. Yet there, with such difficulties, they achieved what measure of success was achieved in the Great Rebellion. We mean to speak carefully when we say *they*; for it is indeed true, that the very men who in 1630 united to build up New England were the men who were turned to with most confidence, and who responded most heartily, when, in 1642, it became necessary to build Old England anew.

Mr. Haven, in his *History of the Origin of the Company*, carefully illustrates this point, and shows how indissolubly united are the histories of the short-lived Commonwealth of England and the long-lived Commonwealth of Massachusetts. After his short biography of the various members of the Company,

— both those who remained in England and those who came out to America, about one hundred in all, — he says, very truly, that historians have, in general, lost sight of the influence exerted by those who remained at home. But

“the amount of political influence that can be traced directly to members of the Company is a fact of striking significance, and leads to an inference of combined action, as well as community of sentiment. The town of Dorchester, where the Company had its origin, has been described as one of the earliest positions fortified against Charles I.; as ‘particularly disaffected to the royal cause, more so than any place in England’; and as ‘the magazine whence the other places were supplied with the principles of rebellion.’

“When the adventurers from the two counties of Dorset and Lincoln had united to establish their head-quarters at London, they were joined by many of the most prominent and wealthy citizens, as well as by men of standing from most of the country shires. Clarendon says of London, that it was the ‘sink of all the ill-humor in the kingdom’; meaning, that the revolutionary tendencies existing in the kingdom were there concentrated and strengthened. If Parliament never became, like the National Assembly of France, the servant of the populace, it was often impelled by the popular voice of the city, while it was sustained by its physical strength and pecuniary resources. When we find in our Company the wealthy merchants, the commanders of the military bands, and the chief municipal officers [of London], we may form some estimate of the amount of public sentiment they would be likely to control. Samuel Vassall* was one of the first to resist the payment of illegal taxes. Hampden’s case was only more conspicuous from having been selected for trial by the King’s Council; an honor that Lord Say made great efforts to secure for himself. John Venn,* commander of the train-bands, led the six thousand citizens who surrounded the House of Peers during the trial of Strafford, and shouted ‘Justice! Justice!’ Thomas Andrews,* the Lord Mayor, assisted by Alderman Bateman* and others, proclaimed the abolition of kingly government, his predecessor having declined to perform that office. We refer to these cases now, merely to exemplify the character and position of the London members. Owen Rowe,* ‘that fire-brand of the city,’ and John Hewson,* the bold shoemaker, might be adduced for the same purpose. Not only the corporate authorities and organized bodies, but the masses of the metropolis, must have had great weight in the affairs of the

* Of the Massachusetts Company.

period; and many of the most active agitators in the various classes of society were connected with the Massachusetts Company." — *Arch. Amer.*, Vol. III. p. cxxvi.

The influence of English members of the Company in the Long Parliament appears very distinctly. Clarendon names, as the leading members of its little House of Lords, Viscount Say and Sele, Lord Warwick, and his son-in-law. The two former were both closely connected with the Company, perhaps members. Warwick had given up his patent for its territory, that its new patent might be granted. Both were patentees of other parts of New England. Of about seventy members of the Company who remained in England when Winthrop emigrated in 1630, many, of course, were dead before the Long Parliament was chosen in 1640. But of those who survived, twelve were members of that celebrated body, and besides them, Sir Henry Vane, who had been Governor of Massachusetts in the mean while, was among its prominent leaders. Vane, Pym, and Nathaniel Fiennes held, according to Clarendon, the first place in point of influence; and Pym was a patentee of Connecticut, while Fiennes was son of Lord Say and Sele.

Mr. Haven follows this line of observation through the whole current of the history of the rebellion. At the trial of Charles, twenty years after the Massachusetts Company was formed, six at least of its members were appointed judges. Three of these were in favor of his execution, two declined acting on the trial, and one refused to sign the death-warrant. A seventh, Hugh Peters, who spent some time in America, was afterwards executed as a regicide, though he was not a member of the court.

Social influences, which were not so distinctly parts of the action of government, showed members of the Massachusetts Company active and forward in the rebellion in other walks of life.

"In 1643," says Mr. Haven, "the fortunes of Charles appeared to be in the ascendant. His troops were victorious, and his opponents were weakened by disunion. The Scotch and English Presbyterians hated the Independents, almost as much as they hated Episcopacy; much more than they disliked Monarchy. A combination of sagacity

and decision were on the other side. In that crisis of affairs, Parliament sent commissioners to Scotland, with ample powers to treat for a nearer union and confederacy. These were the Earl of Rutland, Sir William Armyne, Harry Vane, Thomas Hatcher, and Henry Darley; attended by Philip Nye, and Stephen Marshall, whose daughter Nye had married. It was, however, upon the diplomatic subtlety of Vane, and the great shrewdness of Nye, [both members of the Massachusetts Company,] who was 'seldom, if ever, outwitted,' that Parliament depended for the success of the mission. When it was ascertained that no conciliation could be effected without an adoption of the Scottish Covenant, Sir Harry Vane contrived to render the bitter alternative more palatable to the English, by inserting phraseology which admitted of double construction. By this means the two houses of Parliament, and the Westminster Assembly of Divines and Laymen, were induced to meet, for the purpose of signifying their concurrence. At this point, we find John White, the minister, [also of the Company,] and Philip Nye, combining their efforts to smooth the way for a disagreeable act of necessity. Mr. White's prayer, an hour in length, and Mr. Nye's introductory speech, are all the ceremonies noticed, before taking the question on a measure that manifestly turned the dubious scale against the king." — *Arch. Amer.*, Vol. III. p. cxxviii.

Two major-generals of the Parliament's army, Brereton and Hewson, were of the Massachusetts Company, and several others of its members were in the service. Stephen Winthrop, who succeeded Harrison in the office of Major-General, was son of our Governor Winthrop; and Robert Sedgwick, who held the same office under Cromwell, was a Charlestown man. He was with Governor Winslow of Plymouth in the commission of three which Cromwell sent with his unsuccessful enterprise against the Spanish West Indies. Leverett, afterwards Governor of Massachusetts, had been a captain under Cromwell, having returned to England after some years spent in this country.

It is not merely true, then, as has been often suggested, that the New-Englanders found their Colonies and themselves patronized by the new government. They and their old associates belonged to the very class of men, and were the very men themselves, who had made the new government. It was therefore quite a matter of course that emigration from the old motive should end suddenly with the success of the Par-

liament. It was quite a matter of course, that, when, in 1642, Harvard College sent out its first sons, most of them, even before the success of the Parliamentary struggle, should return to the home where their friends were men of influence. It was quite a matter of course that Cromwell should always regard the Colonies with favor. In fact, it would be no exaggeration to say, that from the time when Henry VII. gave John Cabot ten pounds because he had discovered the New World, down to the time when George III., his great-great-granddaughter's great-great-grandson, succeeded in alienating his North American Colonies, and throwing them away, Cromwell was the only sovereign of England who appreciated the importance of her American possessions.

The gallantry of the Colonial government, considering its extreme weakness, in tendering its support to the Parliament, is, indeed, almost pathetic.

"Whereas," says the Record, "the civill warrs and dissentions in our native country, through the seditious words and carriages of many evill affected persons, cause divisions in many places of government in America, some professing themselves for the king, and others for the Parliament, not considering that the Parliament themselves professe that they stand for the king and Parliament against the malignant Papists and delinquents in that kingdome, it is therefore ordered, that what person soever shall, by word, writing, or action, endeavor to disturbe our peace, directly or indirectly, by drawing a party, under pretence that he is for the king of England, and such as adioyne with him, against the Parliament, shalbe accounted as an offender of an high nature against this common wealth, and to be proceeded with either capitally or otherwise, according to the quality and degree of his offence; provided alwayes, that this shall not be extended against any marchant, strangers, and shipmen that come hither meerly for matter of trade and marchandize, albeit they should come from any of those ports that are in the hands of the king, and such as adhere to them against the Parliament, carrying themselves here quietly, and free from raising or nurishing any faction, mutiny, or sedition amongst us, as aforesaid." — *Col. Rec.*, Vol. II. p. 69.

This was on May 29, 1644, at which session the General Court put its arrangements for defence or offence upon a more scientific footing than they had before rested on. Major-General Dudley was commissioned to command the army of the

little commonwealth. Dudley had learned the military art under so distinguished a leader as Henry IV. of France. Thus singularly do the names and the influence of the leading characters of the Old World appear in the early annals of the New. In the Records, we think we find a desire to veil the various military preparations under more talk of the Indians than there was real necessity of. There was no naval power except that of the king of England, which, in 1644, the Colony had immediate reason to fear. So highly did Cromwell appreciate the Colony's sympathy, that, while the other plantations, Virginia, Maryland, and the Bermudas, were compelled to submit to the provisions of the Navigation Act, to receive all their imports in English ships, and to ship all their exports to England or her colonies, the New England colonies retained their old freedom of trade, and were permitted to do so, simply, it would appear, by special favor of Cromwell and the Parliament.

Indeed, the Colony's loyalty to the Commonwealth was much more demonstrative than had ever been its loyalty to the king. Sir Ferdinando Gorges had very early intimated that the intention of its leaders was to set up for themselves. They never avowed this intention publicly, and probably scarcely did in private. But without distinct avowal of it, they were no doubt constantly looking at the possibility or the necessity of an independent state. There is scarcely an allusion to the home government in the Records before the outbreaking of the civil war. Such allusion as there is, is anything but loyal. The difficulty about using the cross in the standards borne by the troops is an instance. The Commonwealth's men afterwards bore the cross in their standards, and stamped it upon their coin. But Roger Williams and Endicott cut it out of the ensigns here, as idolatrous; and though the General Court professed to reprove them, yet it appears from Winthrop, that the matter was adjusted, in 1635, by a vote not to use the ensign at all. In fact, in Vane's administration, when it had been agreed, after long discussion, that the colors should be shown on the fort, the Colony had no colors to show, — a remarkable position for a British colony in the sixth year of its existence.

Another instance where the home government is alluded to during this period, though not named in the Records, is in the preparations for fortifying the seaports in 1634, in the fourth year of the Colony. The Records do not speak of the naval enemy feared. Undoubtedly, there were reasons for fortification in the neighborhood of the dissatisfied French in Nova Scotia. But it is to be remarked, at the same time, that a rumor had just come that an English Governor-General for the Colonies was to be appointed. The magistrates had taken advice of the ministers, and appear to have acquiesced in their decision, which was, that "if a General Governor were sent, we ought not to accept him, but defend our lawful possessions if we were able, otherwise to avoid or protract." Hutchinson suggests, indeed, in his history of the next year, 1635, when Vane came over, and, as he thought, Pym, Hampden, Haslerigg, and Cromwell meant to come, that the Royalist party in England then would not have been sorry "to have been rid of the heads of what was deemed a faction in government, and to have had no further connection with them." Be this as it may, the success of that faction in England was the confirmation of the loyalty to England of the Colony here. It had never been loud in professions of loyalty to Charles, nor had it any reason for being so.

There is not much, it is true, which can be quoted from the Records, to substantiate the impression that the Colonists cared little for the royal government, and were very glad to keep out of its notice and out of its way. But the very fact that there is next to nothing about that government is remarkable. That, in the infancy of their enterprise, they make no appeal to it at all, is important, though indefinite, testimony. The whole legislation is that of a state which had complete powers within itself. No favor, no aid, is asked of the government at home. The Governor and Assistants, in the first forms of the oaths, are sworn to be faithful to King Charles; but he is not mentioned in any of the oaths of other offices. And it now appears, that in the form drawn up in 1643, as soon as the civil war began, the oath of allegiance to the king was omitted even in those instances. This was long before allegiance to the king was omitted from any similar oaths in England. In-

deed, almost the only other allusion to the king, in the first twelve years, is the half-way compliment of an order, in 1636, six years after the settlement, that "the Kings majesties armes shall be erected in all places of judicature soe soon as they can be hadd."

In this view of the relations of the Colony, we see nothing improbable in the story, repeated by most of the older writers, that in 1636, 1637, or 1638, Hampden, Haslerigg, Pym, and Cromwell proposed to join it. There is no doubt that their associate, Rowe, did. Mr. Bancroft rejects the story, because it has no Puritan authorities in its support, and because it argues a desertion of the good cause by those men. This latter view cannot be sustained, if, in their minds and in the minds of its leaders, the ultimate prosperity of the Colony was regarded as quite independent of the favor of the king.

In 1643, the House of Commons passed the statute under which the Colony enjoyed free trade with the mother country, with a decided compliment to the value of the Colony to England.

Our limits do not permit us to extend these illustrations of the unusually close connection of the rulers and politics of the two commonwealths. It seldom happens that the same body of political experimenters have the opportunity to test their principles in two fields. The Puritans were thus favored. They had started Massachusetts well, when Providence gave them a chance to try their skill in England. In the larger experiment, after magnificent successes, they were swept away at last, by the latent power of English conservatism, to make room for rulers as manly, as religious, as skilful in statesmanship, and exhibiting such divine right to rule, as Charles II. and his brother James. In Massachusetts, the little experiment, they were more successful. When, a few years ago, the English Parliament, in ordering that the statues of the sovereigns of England should be set up in its new palace, thought fit to omit the statue of Cromwell, — that sovereign to whom England owes it that she ever ruled the seas, — we could not but think that it would be a fit memorial of the services which that great man rendered to the men of Massachusetts, and which the men of Massachusetts rendered to him,

if his statue should be erected in some public place in her capital. It is true that his system did not survive long in England. It is as true that it has survived to this day here. The statue might stand in Boston till it was wanted in London.

We must pass by many of the curious details of early Colonial customs which come to light on the perusal of the Records for the first twenty years. The encouragement early given to internal improvement, in cutting a canal in Cambridge from the river, enlarges into an effort to make Cape Ann an island, and shows itself afterwards in other forms. The encouragement of manufacturing industry is curious, beginning with an effort on the wild hemp (*Apocynum cannabinum*), and passing to salt, saltpetre (so essential for "gunpowder, the instrumentall meanes that all nations lay hould on for their preservations"), glass-works, iron-works, wool, ship-building, wine-making, and leather; and its history in so short a time shows a speedy development of real independence here. The rapid growth of the foreign commerce of the Colony has often been remarked. It was as early as 1645, that its noble protest against the slave-trade was uttered:—

Oct. 1, 1645. "The Court thought fit to write to Mr. Williams, of Pascataqua, (understanding that the negers which Capt. Smyth brought were fraudulently & iniuriously taken & brought from Ginny, by Capt. Smith's Confession, & the rest of the Company,) that he forthwith send the neger which he had of Capt. Smyth hither, that he may be sent home, which the Court doth resolve to send back without delay."

Nov. 4, 1645. "The Generall Corte, conceiving themselves bound by the first oportunity to bear witness against the haynos & crying sinn of man stealing, as also to prescribe such timely redresse for what is past, & such a law for the future as may sufficiently deterr all others belonging to us to have to do in such vile & most odious courses, iustly abhorred of all good & just men, do order, that the negro interpreter, with others unlawfully taken, be, by the first oportunity, (at the charge of the country for present,) sent to his native country of Ginny, & a letter with him of the indignation of the Corte thereabouts, and iustice hereof, desiring our honored Governor would please to put this order in execution." — Vol. II. pp. 136, 168.

It must be observed, that for authorities regarding the English associations of the founders of the Colony, we have been

drawing chiefly from Mr. Haven's paper, which serves as an Introduction to the Records. The State's edition of the Records very properly omits all notes of whatever sort, except such as are necessary in explaining the handwriting of the manuscript, or other mechanical peculiarities. The two volumes are admirably printed, and are said to be the most precise reproduction of manuscript ever attempted in type. This is what the Massachusetts edition of the Massachusetts Records should be. All the ancient spelling is exactly followed. Even the abbreviations are copied, in type arranged for the purpose. If a bit of short-hand appears in the margin of the text, a *fac-simile* of it is in the printed book. And, as the book has been stereotyped, it has been possible, we learn, to secure, by successive revisions, a degree of accuracy which could not have been otherwise attained, and which leaves no danger of error. A very good *fac-simile* of the ancient seal is on the title-page. It is the same as the present seal of the State, but that now the State arms bear a crest,—the right arm holding a sword,—and that the old motto, "Come over and help us," so hospitable and at the same time so modest, is changed for Sydney's line (of which the arm is the nominative case):—

"Ense petit placidam sub libertate quietem."

A change of motto could hardly be expected to show so well the change from a colony to a state.

We can conceive no motive but curiosity which shall ever induce any student henceforth to refer to the venerable manuscripts.

A small edition only has been printed, but the General Court itself is so well satisfied with the manner in which the task has been performed, that it has ordered a second edition, and directed that the next three volumes, and the beginning of the sixth, shall be printed in the same way. These bring up the records to the time of President Dudley, in 1686. For the presidency of Dudley in 1686, and for the first year of the usurpation of Andros, the records have recently been restored by copies from the State Paper Office in London. But from December 29, 1687, to the overthrow of Andros, there is a gap,—the only important gap in the records of the State,—

amounting to rather more than a year. The resolve now passed contemplates the printing of these copies, so as to bring the records up to the time when the folio edition of "The Acts and Laws, published in 1699 by Order of the Governor and Council," begins.

Such an authentic and complete monument of history as the two volumes which are now published make, is so interesting, when read with Mr. Haven's careful Introduction and his and Dr. Young's notes, and with Winthrop and the "Chronicles of Massachusetts" for guides, illustrations, and lighters where the text is heavy, that the "Records" lose the character of a statute-book, and assume much more that of volumes of annals.

It is an honor to Governor Clifford's administration, that he has opened them to his constituents. It would be impossible to ask that the work should be better done.

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- ART. IV.—1. *Reports of the Trustees, Steward, and Superintendent of the Insane Hospital.* [Maine.] 1854.
2. *Reports of the Trustees, &c. of the Butler Hospital for the Insane.* Providence, R. I. 1854.
3. *Twenty-first Annual Report of the Trustees of the State Lunatic Asylum.* [Massachusetts.]
4. *Thirty-sixth Annual Report on the State of the Asylum for the Relief of Persons deprived of the Use of their Reason.* [Frankford, Pa.] 1854.
5. *Report of the Pennsylvania Hospital for the Insane, &c.* 1854.
6. *Annual Report of the Officers, &c. of the New Jersey State Lunatic Asylum.* 1854.
7. *Eleventh Annual Report of the Managers of the State Lunatic Asylum.* [New York.] 1854.
8. *Sixteenth Annual Report of the Ohio Lunatic Asylum.* 1854.
9. *Twenty-sixth Annual Report of the President, &c. of the Western Lunatic Asylum.* [Virginia.] 1854.